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*Attorneys for Defendant*

*Heartland Payment Systems, Inc.*

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

MELISSA CAMPBELL, individually, and on  
behalf of all other similarly situated,

Plaintiffs,

v.

HEARTLAND PAYMENT SYSTEMS, INC.,

Defendant.

Civil Action No. 3:16-cv-01104-PGS-DEA

*Electronically Filed*

**DEFENDANT HEARTLAND PAYMENT  
SYSTEMS, INC.'S NOTICE OF  
MOTION TO DISMISS PLAINTIFF'S  
FIRST AMENDED COMPLAINT WITH  
PREJUDICE**

**PLEASE TAKE NOTICE** that on December 19, 2016, or as soon thereafter as counsel may be heard, the undersigned counsel for Defendant Heartland Payment Systems, Inc. shall move before the Honorable Peter G. Sheridan, U.S.D.J., at the Clarkson S. Fisher Building and U.S. Courthouse, 402 East State Street, Trenton, New Jersey for entry of an Order dismissing Plaintiff's First Amended Complaint with prejudice.

**PLEASE TAKE FURTHER NOTICE** that in support of this Motion, Defendant shall rely upon its Memorandum of Law and the Supplemental Declaration of Seth J. Lapidow, Esquire.

**PLEASE TAKE FURTHER NOTICE** that a proposed form of Order is submitted herewith.

/s/ Seth J. Lapidow

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*Heartland Payment Systems, Inc.*

Dated: November 17, 2016